CONFERENCE ON DISARMAMENT

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LETTER DATED 19 JUNE 2002 FROM THE PERMANENT REPRESENTATIVE OF PERU ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE LIMA COMMITMENT SIGNED ON 17 JUNE 2002 BY THE MINISTERS FOR FOREIGN AFFAIRS AND OF DEFENCE OF BOLIVIA, COLOMBIA, ECUADOR, PERU AND VENEZUELA ESTABLISHING THE ANDEAN CHARTER FOR PEACE AND SECURITY AND FOR THE LIMITATION AND CONTROL OF FOREIGN DEFENCE SPENDING

I have the honour to forward herewith the text of the Lima Commitment, signed on 17 June 2002 by the Ministers for Foreign Affairs and of Defence of Bolivia, Colombia, Ecuador, Peru and Venezuela, establishing the Andean Charter for Peace and Security and for the Limitation and Control of Foreign Defence Spending.

I should be very grateful if you could arrange to have the enclosed document circulated as an official document of the Conference on Disarmament to the delegations of all member and observer States.

(Signed) Jorge VOTO-BERNALES
Ambassador

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CONFERENCE OF MINISTERS FOR FOREIGN AFFAIRS AND OF DEFENCE OF THE ANDEAN COMMUNITY

The Ministers for Foreign Affairs and of Defence of Bolivia, Colombia, Ecuador, Peru and Venezuela,

Meeting in the city of Lima for the purpose of analysing the proposal put forward by President Alejandro Toledo to promote a common view of security and peace and of the enhancement and expansion of confidence-building measures, together with the implementation of initiatives designed to help limit foreign defence spending;

Bearing in mind the proposal to create an international humanitarian fund which, financed by savings from reduced defence spending, would, among other things, help to boost efforts by Andean Community countries to meet their social needs;

Believing that the existence of democratic regimes in the region strengthens mutual peace, friendship, understanding and cooperation among the peoples and Governments of the Andean Community;

Convinced that peace and stability are values that are strengthened by the existence of the rule of law, democracy and respect for human rights;

Conscious that economic and social development tasks, particularly the challenge of reducing the poverty in our societies, are shared national objectives that require limits to be set to foreign defence spending;

Highlighting the Andean Commitment to Peace, Security and Cooperation, contained in the Galápagos Declaration of 18 December 1989;

Recalling that the Andean Presidents instructed the Andean Council of Ministers for Foreign Affairs to draw up the guidelines for a Community security and confidence-building policy, with a view to establishing an Andean peace zone;

Bearing in mind that the common foreign policy involves a broad degree of political cooperation that is opening up a new stage in Andean integration and that it has identified as one of its priority areas the adoption of "joint measures to promote a culture of peace and peaceful settlement of disputes, confidence-building, particularly in border areas, arms limitation and the development of new regional approaches to security";

Considering that, in the Declaration of Santa Cruz de la Sierra, of 30 January 2002, the Andean Presidents welcomed the initiative of Peruvian President Alejandro Toledo to hold a conference of the ministers for foreign affairs and of defence of the Andean Community member countries in Lima for the purpose of examining the proposal to reduce defence spending, so that more resources could be allocated to social investment and poverty alleviation, bearing in mind domestic security needs and current spending levels,

Have agreed to approve the following:

LIMA COMMITMENT

ANDEAN CHARTER FOR PEACE AND SECURITY AND FOR THE LIMITATION AND CONTROL OF FOREIGN DEFENCE SPENDING

I. PRINCIPLES FOR FORMULATING AN ANDEAN COMMUNITY SECURITY POLICY

The member States of the Andean Community reaffirm their commitment and adherence to the purposes and principles of the United Nations Charter and the Charter of the Organization of American States and to the formulation of a Community policy on security and confidence-building based on the following principles:

1. Preservation of the rule of law and democracy as the system of government;

2. Promotion and protection of human rights;

3. Application of humanitarian international law;

4. Abstention from the threat or use of force in their reciprocal relations;

5. Peaceful settlement of disputes;

6. Respect for the territorial integrity and sovereignty of each member State;

7. Non-interference in internal affairs;

8. Respect for international law and international obligations;

9. Observance of the collective security systems of the United Nations and the Organization of American States;

10. Cooperation for development;

11. Strengthening of the integration process.

II. COMMITMENT TO THE FORMULATION OF AN ANDEAN COMMUNITY SECURITY POLICY

The member States of the Andean Community agree:

1. To reaffirm their commitment to peace, security, renunciation of the threat or use of force, the peaceful settlement of disputes and respect for international law;

2. To submit to the Andean Presidential Council, at its fifteenth meeting, a proposal on a common Andean security policy framed within a context of democracy and non-offensive external security, based on the principles established in the Charter of the United Nations and the Charter of the Organization of American States;

3. To convene, before December 2002, a series of seminars on the following subjects: security of the hemisphere, from the Andean perspective; the regional war on terrorism, military spending and security; and confidence-building measures. Both military and civil representatives from the five member countries will participate in these seminars, whose purpose will be to launch discussions on aspects of basic importance for the formulation of an Andean Community security policy;

4. To form a high-level group on security and confidence-building, with the participation of senior foreign affairs and defence officials from the five member countries, who will be responsible for coordinating studies with a view to drawing up the common Andean security policy. The first meeting of the group should be held during the first half of 2003, as a follow-up step to the holding of the seminars.

III. COMMITMENT TO ESTABLISH A PEACE ZONE IN THE ANDEAN COMMUNITY

The member States of the Andean Community agree:

1. That the arrangements and criteria should be determined for the setting up of a peace zone in the Andean Community, in conformity with the agreement adopted by the heads of State in the Act of Carabobo, as a guarantee of the peace and security which the Andean Governments undertake to ensure for their countries;

2. That the Andean Community peace zone shall cover the area comprising the territories, airspace and waters under the sovereignty and jurisdiction of Bolivia, Colombia, Ecuador, Peru and Venezuela;

3. That, in the Andean Community peace zone:

- The threat or use of force between member States shall be prohibited, pursuant to the applicable provisions of the United Nations Charter and the Charter of the Organization of American States;

- The deployment, manufacture, transport and use of nuclear, biological and chemical weapons shall be banned, in conformity with the provisions of the Treaty of Tlatelolco and the international conventions on chemical, biological and toxin weapons;

- All nuclear testing shall be banned;

- A system for gradually eliminating anti-personnel landmines shall be set in place, leading to their total eradication at the earliest possible stage, as stipulated in the Ottawa Convention;

- The development, manufacture, possession, deployment and use of all weapons of mass destruction, as well as their transit through the countries of the subregion, shall be prohibited;

- Cooperation for development and integration shall be promoted;

4. That the Andean countries will submit draft resolutions to both the General Assembly of the United Nations and the General Assembly of the Organization of American States, with a view to promoting recognition of the Andean peace zone by the international community.

IV. REGIONAL COMMITMENT TO THE WAR ON TERRORISM

The member States of the Andean Community agree:

1. To step up national efforts that are under way pursuant to the provisions of the Security Council, in particular its resolution 1373 (2001) of 28 September 2001; the stipulations of the Inter-American Convention against Terrorism, approved on 3 June 2002; and the provisions of the Andean Commitment to Peace, Security and Cooperation, contained in the Galápagos Declaration of 18 December 1989;

2. To take the necessary additional measures to prevent the commission of acts of terrorism, including through the exchange of information to give early warning to the relevant authorities;

3. To continue combating transnational criminal activities, in particular those connected with terrorism, such as illicit drug dealing, asset laundering and illegal arms trafficking.

V. COMMITMENTS TO LIMIT SPENDING ON FOREIGN DEFENCE AND THE CONTROL OF AND TRANSPARENCY IN CONVENTIONAL WEAPONS

The member States of the Andean Community agree:

1. To take joint measures to promote a credible and verifiable conventional arms limitation process within the region, taking due account of each country's domestic security needs and current spending levels, that would make it possible to allocate more funds to economic and social development, in keeping with the relevant principles and aims set forth in the Charter of the Organization of American States and the Declaration of Ayacucho;

2. To ban or restrict the use of certain conventional weapons that are considered excessively injurious or to have indiscriminate effects, in conformity with the regime contained in the United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980 and its additional protocols;

3. To accede to the Convention on Certain Conventional Weapons and to its protocols, including Amended Protocol II and Protocol IV, on the use of blinding laser weapons;

4. To sign and/or ratify the Inter-American Convention Against the Illicit Manufacture of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials and to make the necessary diplomatic efforts to ensure the prompt entry into force of this convention;

5. To ensure the timely submission of annual reports on the imports and exports of conventional weapons to the United Nations Register of Conventional Arms, established by United Nations General Assembly resolution 46/36 L of 1991;

6. To ensure the timely submission of standardized reports containing objective information about armaments, including the transparency of defence spending, in conformity with United Nations General Assembly resolutions 35/142 B of 1980, entitled "Reduction of military budgets", and 48/62 of 1994, entitled "Reduction of military budgets: transparency of military expenditures", and to exchange information directly among their respective foreign ministries, which shall inform their defence ministries accordingly;

7. To encourage all the Andean countries to ratify the Inter-American Convention on Transparency in Conventional Weapons Acquisitions, approved by the Organization of American States in 1999;

8. To ensure the annual exchange at the Andean subregional level, in February of each year, and until the Organization of American States Inter-American Convention on Transparency in Conventional Weapons Acquisitions enters into force, information on the imports and exports of the following conventional weapons: tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships and missiles or missile systems;

9. To report annually to the Secretary-General of the United Nations their military expenditures of the previous financial year before 30 April of each year, based on available data and using the appropriate reporting instrument, in compliance with United Nations General Assembly resolution 35/142 B of 1980, entitled "Reduction of military budgets";

10. To exchange information on military expenditure annually at the Andean subregional level before its submission to the United Nations and the Organization of American States, and to coordinate and standardize such information.

VI. COMMITMENT TO ENSURE THAT LATIN AMERICA IS DECLARED A ZONE FREE FROM BEYOND VISUAL RANGE AIR-TO-AIR MISSILES AND MEDIUM AND LONG RANGE STRATEGIC MISSILES

The member States of the Andean Community agree:

To welcome the invitation extended by the Government of Peru to hold a meeting of experts in Lima in September 2002 to start consultations with a view to the establishment in Latin America of a zone free from beyond visual range air-to-air missiles and medium and long-range strategic missiles.

VII. COMMITMENTS TO CONSOLIDATE THE BAN ON NUCLEAR, CHEMICAL AND BIOLOGICAL WEAPONS

The member States of the Andean Community reiterate their commitments:

1. To use the nuclear material and facilities under their jurisdiction exclusively for peaceful purposes and to comply scrupulously with the Treaty of Tlatelolco and its protocols;

2. To demand, pursuant to the agreement set out in the Final Document of the Ministerial Meeting of the Non-Aligned Movement Coordinating Bureau, held in Durban, South Africa, in April 2002, that countries possessing nuclear weapons should provide relevant information to the Governments of Andean countries on the transport of any nuclear material or waste off their coastlines. In this connection, the Andean Community countries shall continue to apply the International Atomic Energy Agency Regulations for the Safe Transport of Radioactive Material;

3. To prohibit the manufacture, reception or transit of fissile material and to refuse to allow any nuclear weapons or other explosive nuclear devices to be transferred, either directly or indirectly, within their respective territories;

4. To coordinate their positions at the United Nations General Assembly, the Conference on Disarmament and the Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, so as to boost the effectiveness of the nuclear non-proliferation regime;

5. Not to develop, produce, acquire, stockpile, retain or use biological and toxin weapons under any circumstance whatsoever, in keeping with the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, of 1972;

6. To ensure the concerted application in the Andean subregion of the confidence-building measures established at the Third Review Conference of the Convention on Bacteriological (Biological) and Toxin Weapons and to coordinate the submission of the corresponding declaration forms;

7. Not to develop, use, produce, acquire in any other way, stockpile or retain chemical weapons, or to transfer such weapons to anyone else, directly or indirectly, in conformity with the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, of 1993.

8. To facilitate the fullest possible exchange among their competent national agencies of chemical substances and scientific and technical equipment and information relating to the development and application of chemistry for purposes not prohibited by the respective conventions;

9. To ensure the timely submission of the annual declarations on relevant chemicals and facilities to the Organization for the Prohibition of Chemical Weapons and, at the same time, to send copies of these declarations to the member States of the Andean Community through their respective foreign ministries.

VIII. COMMITMENTS TO ERADICATE THE ILLICIT TRAFFIC IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS

The member States of the Andean Community agree:

1. To take urgent measures to combat the illicit traffic in firearms, ammunition, explosives and other related materials, given its association with the worldwide problem of illegal drugs, terrorism, organized transnational crime, mercenary activities and other criminal behaviour, its direct effect on the security of citizens and the fact that it aggravates internal conflicts and hinders peace processes;

2. Also to adopt urgent measures to combat the illicit traffic in firearms that are intended to overturn the democratic institutional order of States;

3. To establish an Andean working group to develop a plan of action and follow up on specific bilateral and subregional cooperation projects to combat and eradicate the illicit traffic in firearms;

4. To ensure the prompt implementation of the recommendations contained in the United Nations 2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, in particular the recommendations for the region.

IX. COMMITMENTS TO THE ERADICATION OF ANTI-PERSONNEL LANDMINES

The member States of the Andean Community agree:

1. To reaffirm their commitment not to use, develop, produce, acquire, stockpile, conserve or transfer anti-personnel landmines, directly or indirectly, under any circumstance whatsoever;

2. To destroy or ensure the destruction of all stocks of anti-personnel landmines within a period of four years, as from the date on which the Ottawa Convention entered into force for each State party, with the exception of those that are withheld or transferred for the development of mine detection, clearance or destruction techniques and training in those techniques;

3. To apply or continue to implement national, binational or multilateral programmes to speed up the destruction of anti-personnel mines that have been laid, so that these are destroyed in accordance with the schedules established in the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction of 1997;

4. To establish national programmes to care for mine victims and for their social and economic integration, as well as for the purposes of averting, and raising awareness of, the dangers of anti-personnel mines;

5. Strongly to urge other countries in the region that possess anti-personnel mines or in whose territory they have been laid to destroy them as rapidly as possible;

6. To issue an urgent appeal to groups operating outside the law to comply with the provisions of international humanitarian law in this area.

X. COMMITMENTS TO EXPAND AND STRENGTHEN CONFIDENCE-BUILDING MEASURES

The member States of the Andean Community agree:

1. To continue to apply and strengthen confidence-building measures which involve:

(a) Concluding agreements on the prior notification of military exercises;

(b) Establishing mutual confidence or security zones in border areas, as appropriate, adjusting the number and strength of the military units and outposts, with due consideration for each country's domestic security and development needs;

(c) Promoting the preparation and exchange of information on defence policy and doctrine;

(d) Inviting observers to attend military exercises, to visit military facilities, and to watch routine operations and exchanging civilian and military personnel for basic, advanced and further training;

(e) Holding meetings and taking other steps to prevent incidents and to increase the safety of land, sea, river, lake and air transport;

(f) Developing natural disaster prevention and cooperation programmes, at the request and with the authorization of the affected States;

(g) Running seminars, extension courses and to conduct studies on mutual confidence-building and security measures and policies to promote confidence, with the participation of civilian and military personnel;

(h) Conducting peace-oriented educational and cultural programmes and programmes for the promotion and defence of human rights;

(i) Fostering cooperation among Andean legislators on confidence-building measures and issues relating to subregional peace and security, including meetings, exchange visits and an Andean meeting of parliamentarians on common security matters;

(j) Opening the seminars, courses and studies on confidence-building and safety measures, disarmament and other issues connected with Andean peace and security to diplomatic training institutes, military academies, research centres and universities, with the participation in those activities of government, civilian and military officials, as well as representatives of civil society;

(k) Promoting bilateral talks between high-level military officers and the exchange of information and intelligence and incident verification arrangements in the border areas.

XI. FOLLOW-UP AND VERIFICATION ARRANGEMENTS

The member States of the Andean Community agree:

1. To hold periodic meetings of the Andean Council of Ministers for Foreign Affairs, together with the defence ministers of the Community, with a view to promoting dialogue and the harmonization of common security and confidence-building policies;

2. To convene a meeting twice a year of the high-level group on security and confidence-building measures, as the executive body of this Community policy;

3. To ensure that the General Secretariat of the Andean Community establishes, as soon as possible, a unit responsible for following up and effectively verifying the foreign policy measures agreed upon in the present Lima Commitment.

Lima, 17 June 2002

APPEAL TO THE INTERNATIONAL COMMUNITY WITH REGARD TO THE LIMA COMMITMENT

Aware that the present Andean Charter sets out the basic principles on security and peace that are upheld as the common aspirations of both the community of this hemisphere and the international community, the ministers for foreign affairs and of defence of the Andean Community invite and urge all the Governments of friendly countries to accede to this Charter freely and in a morally binding way. To that end, the ministries for foreign affairs of the Andean countries will promote such accessions through their embassies and will also request the United Nations Secretary-General to ensure the universal dissemination of the Charter, with a view to attaining the noble aims which it enshrines. Accessions from among the international community will be reported to the Government of Peru, which will inform the other Community Governments accordingly.

This appeal forms an integral part of the Lima Commitment.